

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

DENNIS WILLARD,  
 Plaintiff(s),

v.

AINSWORTH GAME TECHNOLOGY,  
 Defendant(s).

Case No.: 2:20-cv-01513-RFB-NJK

**ORDER**

[Docket No. 36]

Pending before the Court is Defendant's proposed discovery plan. Docket No. 36. On August 24, 2020, the Court ordered Plaintiff to file a notice of appearance of counsel or a notice of intent to appear *pro se* no later than September 23, 2020. Docket No. 28. On September 2, 2020, the Court further ordered Plaintiff to file a certificate of interested parties no later than September 9, 2020, and cautioned Plaintiff that failure to comply with the Court's order may result in sanctions. Docket No. 33. To date, Plaintiff has not complied with the Court's orders. *See* Docket. Defendant now submits that Plaintiff has failed "to comply with LR 26-1 requiring him to initiate the Rule 26(f) conference[.]" Docket No. 36 at 2.

Plaintiff has a duty to prosecute his claims. Fed.R.Civ.P. 41(b). Plaintiff also has a duty to comply with the Court's orders. Accordingly, Plaintiff is hereby **ORDERED** to contact Defendant's attorneys no later than October 27, 2020, to confer on a joint proposed discovery plan. **Failure to comply with this order and the orders at Docket Nos. 28 and 33 by October 27, 2020, will result in a recommendation to the District Judge that this case be dismissed.**

The Court therefore **DENIES** Defendant's discovery plan without prejudice pending Plaintiff's compliance with this order. The parties **SHALL FILE** a joint proposed discovery plan

1 no later than October 30, 2020. In the event Plaintiff fails to contact Defendant's attorneys by  
2 October 27, 2020, Defendant **SHALL FILE** a notice so indicating.

3 IT IS SO ORDERED.

4 Dated: October 20, 2020

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7 Nancy J. Koppe  
8 United States Magistrate Judge  
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